

#20 JAN. 25. 2007 2:49 PM SCI DALLAS RECORDS NO. 452 P. 3 K605  
 U# 032136 10 WORKER SESSIONS FILE IN COURT

DC-300B (PART I) Rev. 7/99 <b>DALLAS SEX HCK-0068</b> COURT COMMITMENT STATE OR COUNTY CORRECTIONAL INSTITUTION Commonwealth of Pennsylvania vs. <b>BROWN, ANTHONY</b>		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS BOX 598 CAMP HILL, PA. 17001-0598 Attn: Central Office Records <b>CM# 0201-57526 57551</b> NOTE: Additional supply of this form available at above address	
COMMITMENT NAME (LAST, FIRST, INITIAL, SUFFIX)		<input type="checkbox"/> DC-300B (PART II) attached	
SEX <input type="checkbox"/> F <input checked="" type="checkbox"/> M	Date of Birth <b>4-3-63</b>	SID <b>632736</b>	OTN <b>N125 6791</b>
COMMITTING COUNTY <b>PHILA</b>		COURT OF INITIAL JURISDICTION <input type="checkbox"/> COMMON PLEAS <input checked="" type="checkbox"/>	COURT NUMBER <b>CP#0204-0146</b>
MANDATORY SENTENCE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		COUNTY REFERENCE #:	
BOOT CAMP RECOMMENDED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		DATE TERM <b>11/12/02</b>	
The above defendant after <input type="checkbox"/> Pleading guilty		<input type="checkbox"/> Nolo contendere <input checked="" type="checkbox"/> Being found guilty <input type="checkbox"/> GBMI	
was on <b>8-7-02</b> , sentenced by Judge <b>JOHN J. O'BRADEY</b>			
to a term of not less than <b>1</b> years, <b>0</b> months, <b>0</b> days nor more than <b>2</b> years, <b>0</b> months, <b>0</b> days, or <b>0</b> for the offense of			
<b>AGG. ASSAULT</b> (Section <b>2702</b> of the Crimes Code) or (other statute) <b>K2</b> . It is further ordered that the said defendant be delivered by the proper authority to and treated as the law directs at the <b>State Cor. Inst</b> facility located at <b>Greensburg, Pa.</b>			
Fine: Amount \$ _____ Balance \$ _____		Restitution: Amount \$ <b>207.00</b> Balance \$ _____	
CREDIT FOR TIME SERVED (EXPLANATION OF CREDIT COMPUTATION ON REVERSE SIDE) <b>None, within case.</b>		EFFECTIVE DATE OF SENTENCE <b>8-7-02</b>	
THIS SENTENCE IS <del>CONCURRENT</del> WITH:			
THIS SENTENCE IS CONSECUTIVE TO: <b>Sentence to run consecutively to any sentence now pending</b>			
PROSECUTING ATTORNEY <b>RICHARD BOBBE</b>		DISPOSITION ON NON-INCARCERATION OFFENSE(S) <b>NO FURTHER PENALTY</b>	
DEFENSE ATTORNEY <b>DEK. ASSAL - BRIAN GREGORY</b>		<b>bullet (1) REAP</b> <b>(2) ASST. BY PRIS</b> <b>(3) ASST.</b> <b>(4) REAP</b> <b>(5) RES ARST</b>	
COURT REPORTER <b>TONI EDWARDS</b>		(THIS BLOCK NOT TO BE USED FOR INCARCERATION OFFENSE)	
<b>original sent to Dallas CT</b> <b>cc: Phila Co. Prison</b>		In witness, whereof I have hereunto set my hand and seal of said court, this <b>7th</b> day of <b>AUGUST</b> <b>2002</b> <b>2002</b> AUTHORIZED SIGNATURE <b>[Signature]</b>	

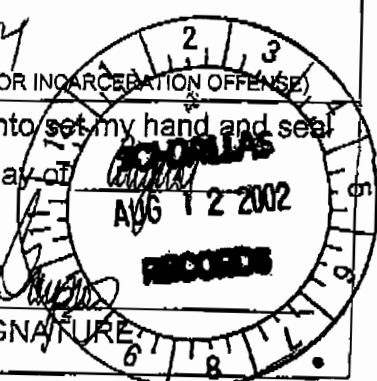


Exhibit D1

JAN. 25. 2007 2:49PM  
43178 13:06

SCI DALLAS RECORDS

COMMONWEALTH OF PENNSYLVANIA  
PHILADELPHIA COUNTY

NO. 452 1P. 20/01

BOOKING # 00000

CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
COMMONWEALTH OF PENNSYLVANIA VS. ANTHONY BROWN

FELONY P/H

DC# 01-01-149338  
MC#

02015753

I, THE UNDERSIGNED, DO HEREBY STATE UNDER OATH OR AFFIRMATION:

(1) MY NAME IS: DISTRICT ATTORNEY'S REPRESENTATIVE

(2) I ACCUSE ANTHONY BROWN WHO LIVES AT  
IN CUSTODY  
WITH VIOLATING THE PENAL LAWS OF PENNSYLVANIA ON OR ABOUT  
FRIDAY, JUNE 01, 2001 IN THE COUNTY OF PHILADELPHIA.

(3) THE ACTS COMMITTED BY THE ACCUSED WERE:

AT 1347 WOOD ST, WHILE IN CUSTODY FOR ROBBERY FOR RETURN TO PRISON, THE  
DEFENDANT KNOWINGLY, INTENTIONALLY, OR RECKLESSLY CAUSED/ATTEMPTED TO CAUSE  
BODILY INJURY TO ANOTHER, AND/OR ATTEMPTED BY PHYSICAL MENACE TO PUT ANOTHER  
IN FEAR OF IMMINENT SERIOUS INJURY, BY CONFRONTING THE COMPLAINANTS,  
KENNETH PAUL (PROBATION/PAROLE AGENT), AND ERNEST BELLO, GLENN YANIS, AND  
ROBERT CANNADY (D.O.C. EMPLOYEES), AND STRUGGLING AND WRESTLING WITH THEM,  
REQUIRING SUBSTANTIAL FORCE TO OVERCOME THE RESISTANCE, AND CAUSING INJURY  
TO MR BELLO, INCLUDING A CUT HAND

#2 OF 4: CW ERNEST BELLO //// WWWWWW  
IN VIOLATION OF PA. PENAL LAWS, SECTION(S) AND TITLE(S):

2701-M2	SIM ASSLT	2705-M2	REAP
2702-F2	AGG ASSLT	5104-M2	RES ARR
2703-F2	ASSLT/PRIS		

ALL OF WHICH IS AGAINST THE PEACE AND DIGNITY OF THE COMMONWEALTH OF PA.

(4) I ASK THAT A WARRANT OF ARREST OR A SUMMONS BE ISSUED AND THAT THE  
ACCUSED BE REQUIRED TO ANSWER THE CHARGES I HAVE MADE. THIS COMPLAINT  
HAS BEEN REVIEWED AND APPROVED BY CYNTHIA C. MARTELLI A.D.A.

(5) I SWEAR TO OR AFFIRM THE WITHIN COMPLAINT UPON MY KNOWLEDGE, INFORMATION  
AND BELIEF, AND SIGN IT ON / / , BEFORE PHILA. MUNICIPAL COURT  
JUDGE/BAIL COMMISSIONER

SIGNATURE OF AFFIANT

ON / / , THE ABOVE NAMED AFFIANT SWORE OR AFFIRMED THAT THE FACTS SET  
FORTH IN THE COMPLAINT WERE TRUE AND CORRECT TO THE BEST OF HIS/HER  
KNOWLEDGE, INFORMATION AND BELIEF, AND SIGNED IT IN MY PRESENCE. I BELIEVE  
THE WITHIN AFFIANT TO BE A RESPONSIBLE PERSON AND THAT THERE IS PROBABLE  
CAUSE FOR THE ISSUANCE OF PROCESS.

ISSUING AUTHORITY SEAL

WAIVER: ON / / , I APPEARED BEFORE JUDGE/BAIL COMMISSIONER  
WHO READ THE ABOVE COMPLAINT TO ME AND EXPLAINED ITS CONTENTS, AND I HEREBY  
WAIVED PRELIMINARY HEARING AND CONSENT TO BE BOUND OVER TO COURT.

DEFENDANT

DEFENSE ATTORNEY

Exhibit D2

02 010000

CLOSED, HABEAS

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:01-cv-06051-WY**

FELIZ v. LAVAN, et al  
Assigned to: JUDGE WILLIAM H. YOHN, JR  
Demand: \$0  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 12/03/2001  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner**

**EDDY FELIZ**  
(CONVICTED COMMITTED)  
ANTHONY BROWN

represented by **EDDY FELIZ**  
CK-0068  
SCI-DALLAS  
1000 FOLLIES RD  
DALLAS, PA 18612  
PRO SE

V.

**Respondent**

**THOMAS LAVAN**

**Respondent**

**THE DISTRICT ATTORNEY OF  
THE COUNTY OF LUZERN**

**Respondent**

**THE ATTORNEY GENERAL OF  
THE STATE OF PENNSYLVANIA**

Date Filed	#	Docket Text
12/03/2001	1	Relator's petition for writ of habeas corpus together (cw) (Entered: 12/05/2001)
12/03/2001		Habeas Corpus Case Management Track. (cw) (Entered: 12/05/2001)
02/06/2002	2	ORDER THAT PETITIONER'S APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS IS DENIED AND IT IS FURTHER ORDERED THAT UNLESS PETITIONER FURNISHES THE CLERK OF THIS COURT, WITHIN 30 DAYS, A CHECK FOR FIVE DOLLARS, THIS CIVIL ACTION WILL BE DISMISSED AND IT IS FURTHER ORDERED THAT THE CLERK OF COURT FURNISH PETITIONER WITH THE CURRENT FORMS FOR FILING A PETITION PUR TO 28 USC S2254 AND BEARING THE ABOVE-

**Exhibit D3**



CAPTIONED CIVIL ACTION NUMBER AND IT IS FURTHER ORDERED THAT PETITIONER SHALL COMPLETE THESE FORMS IN THEIR ENTIRETY AND RETURN THEM TO THE CLERK OF COURT WITHIN 30 DAYS TOGETHER IN THE SAME ENVELOPE WITH THE CHECK FOR FIVE DOLLARS OR ELSE THIS CIVIL ACTION WILL BE DISMISSED. ( SIGNED BY JUDGE WILLIAM H. YOHN JR. ) 2/7/02 ENTERED AND COPIES MAILED. (gm) (Entered: 02/07/2002)

- |            |                                                                                                                                                                                                                                                                             |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/11/2002 | 3 Request by PETITIONER EDDY FELIZ for order to show cause for change of venue (location), temporary restraining order-in writ of habeas corpus, affidavit(s). (gm) Modified on 02/12/2002 (Entered: 02/12/2002)                                                            |
| 02/11/2002 | 4 MOTION BY PETITIONER EDDY FELIZ FOR APPOINTMENT OF COUNSEL . (gm) (Entered: 02/12/2002)                                                                                                                                                                                   |
| 02/11/2002 | 5 MOTION BY PETITIONER EDDY FELIZ FOR RELEASE (R.O.R.) ETC PENDING TRIAL . (gm) (Entered: 02/12/2002)                                                                                                                                                                       |
| 03/14/2002 | 6 ORDER THAT THIS ACTION IS DISMISSED WITHOUT PREJUDICE FOR FAILURE TO PROSECUTE. ( SIGNED BY JUDGE WILLIAM H. YOHN JR. ) 3/15/02 ENTERED AND COPIES MAILED. (gm) (Entered: 03/15/2002)                                                                                     |
| 03/14/2002 | Case closed (kv) (Entered: 03/18/2002)                                                                                                                                                                                                                                      |
| 03/20/2002 | 7 Notice of appeal by PETITIONER EDDY FELIZ, brief, memorandum, statement. Copies to: JUDGE WILLIAM H. YOHN JR., Clerk USCA, Appeals Clerk, and THE ATTY GEN OF PA, THE D.A. OF LUZERNE, THOMAS LAVAN. (gm) (Entered: 03/21/2002)                                           |
| 03/20/2002 | 8 Copy of Clerk's notice to USCA re: appeal. (gm) (Entered: 03/21/2002)                                                                                                                                                                                                     |
| 03/20/2002 | Petitioner has submitted the habeas corpus forms as requested by the Court. (gm) (Entered: 03/21/2002)                                                                                                                                                                      |
| 03/22/2002 | CERTIFIED AND TRANSMITTED RECORD ON APPEAL TO U.S. COURT OF APPEALS. (ke) (Entered: 03/22/2002)                                                                                                                                                                             |
| 03/26/2002 | Notice of Docketing ROA from USCA Re: appeal USCA NUMBER: 02-1807. 3/26/02 (gm) (Entered: 03/26/2002)                                                                                                                                                                       |
| 04/08/2002 | Filing Fee Paid; filing fee \$ 5.00 receipt # 787115 (ajf) (Entered: 04/09/2002)                                                                                                                                                                                            |
| 04/24/2002 | 9 ORDER of USCA as to [7] Notice of Appeal filed by EDDY FELIZ, dated 4/18/02, re: It is entered dismissed by the Clerk under the authority conferred upon her by Rule 42(b), Federal Rules of Appellate Procedure without cost to either party. (fb) (Entered: 03/17/2004) |
| 04/24/2002 | Appeal Record Returned from the U.S. Court of Appeals for the Third Circuit. (fb) (Entered: 03/17/2004)                                                                                                                                                                     |
| 08/05/2004 | 10 MOTION BY EDDY FELIZ FOR RELIEF FROM JUDGMENT & ANSWERS IN OPPOSITION.(fb) (Entered: 08/05/2004)                                                                                                                                                                         |

- |            |                                                                                                                                                                                                                                                         |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/06/2004 | 11 ORDER THAT THE MOTION FOR RELIEF FROM JUDGMENT & ANSWER IN OPPOSITION IS DENIED, ETC.. SIGNED BY JUDGE WILLIAM H. YOHN JR. ON 8/6/04.8/6/04 ENTERED AND COPIES MAILED. (fb) Additional attachment(s) added on 8/9/2004 (fb, ). (Entered: 08/06/2004) |
| 08/19/2004 | 12 Statement re: Incriminating Document/Attempt to Dismiss a Valid Habeas Corpus Action, Questions/interpretation of Federal Law : "False Arrest, First Amendment Retaliation by EDDY FELIZ. (ac, ) (Entered: 08/19/2004)                               |

**PACER Service Center  
Transaction Receipt**

01/25/2007 14:46:35

<b>PACER Login:</b> ag0104	<b>Client Code:</b>
<b>Description:</b> Docket Report	<b>Search Criteria:</b> 2:01-cv-06051-WY
<b>Billable Pages:</b> 2	<b>Cost:</b> 0.16

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDDY FELIZ, (CONVICTED	:	CIVIL ACTION
COMMITTED) ANTHONY BROWN	:	
	:	
vs.	:	
	:	
THOMAS LAVAN, <u>ET AL.</u>	:	NO. 01-6051

O R D E R

**AND NOW**, this 6<sup>th</sup> day of August, 2004, upon consideration of plaintiff's "motion for relief from judgment & answers in opposition" (Document No. 10), **IT IS HEREBY ORDERED** that the motion is **DENIED**.<sup>1</sup>

---

William H. Yohn, Jr., Judge

---

<sup>1</sup>Petitioner filed his petition for writ of habeas corpus under 28 U.S.C. § 2254 on December 3, 2001.

On February 5, 2002 the court denied petitioner's request for leave to proceed in forma pauperis and ordered him to pay the sum of \$5.00 within thirty days or the action would be dismissed. In addition, the petitioner was required to resubmit his petition on the official forms and in their entirety. Petitioner did neither and the action was dismissed without prejudice for failure to prosecute on March 14, 2002. Petitioner filed an appeal to the U.S. Court of Appeals for the Third Circuit on March 20, 2002 but the appeal was dismissed by the Third Circuit on April 18, 2002.

Petitioner did nothing further until August 5, 2004 at which time this motion was filed. The motion is clearly untimely and alleges no basis for relief.